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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,817	07/16/2003	Stephen F. Bisbee	003670-104	1237
7590	11/25/2008		EXAMINER	
Burns, Doane, Swecker & Mathis, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404			DAVIS, ZACHARY A	
			ART UNIT	PAPER NUMBER
			2437	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. 10/620,817	Applicant(s) BISBEE ET AL.
	Examiner Zachary A. Davis	Art Unit 2437
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --		

The amendment document filed on 13 August 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: See Continuation Sheet.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Zachary A Davis/
Examiner, Art Unit 2437

Continuation of 4(e) Other: The amendments to the claims do not clearly comply with the requirements of 37 CFR 1.121(c)(2), which states that "The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived", noting that double brackets may also be used to show deletion of five or fewer consecutive characters. The amendments to Claim 1 do not clearly comply with this requirement, noting that it appears that "an" may have been intended to be deleted from line 14 of the claim, "a" may have been intended to be deleted from lines 15 and 31, and "CA" may have been intended to be deleted from lines 16, 17, and 30; however, in the font used, it is difficult to clearly discern whether the characters, particularly "a" and "A" have been indicated by strike-through. The amendments to Claim 11 also do not clearly comply with this requirement, noting that it appears that "a" may have been intended to be deleted from the end of line 4 of the claim; however, in the font used, it is difficult to clearly discern whether the character "a" has been indicated by strike-through. See also MPEP § 714(II)(C)(B). Also compare to other claim amendments in the present response (see for example, Claims 5-7 and 9, inter alia, where double bracketing is used as required).

Additionally, the amendments to the claims also fail to comply with the requirements of 37 CFR 1.121(c)(2) and (3). It appears that withdrawn claims have been amended without including markings showing the changes. For example, Claim 19 appears to include text that was added without being marked by underlining as required (see line 15 of the claim). It is noted that withdrawn claims that are amended may be identified with the status identifier (withdrawn- currently amended) also as per 37 CFR 1.121(c)(2).